
SENATE BILL 5796

State of Washington

57th Legislature

2001 Regular Session

By Senators Deccio, Thibaudeau, Fairley, Costa and Prentice

Read first time 02/02/2001. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to prescriptive authority for advanced registered
2 nurse practitioners; amending RCW 18.79.050, 18.79.240, and 18.79.250;
3 and repealing RCW 18.57.280, 18.71.370, and 18.79.320.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 18.79.050 and 2000 c 64 s 2 are each amended to read
6 as follows:

7 "Advanced registered nursing practice" means the performance of the
8 acts of a registered nurse and the performance of an expanded role in
9 providing health care services as recognized by the medical and nursing
10 professions, the scope of which is defined by rule by the commission.
11 Upon approval by the commission, an advanced registered nurse
12 practitioner may prescribe legend drugs and controlled substances
13 contained in Schedules II through V of the Uniform Controlled
14 Substances Act, chapter 69.50 RCW(~~, and Schedules II through IV~~
15 ~~subject to RCW 18.79.240(1) (r) or (s))~~).

16 Nothing in this section prohibits a person from practicing a
17 profession for which a license has been issued under the laws of this
18 state or specifically authorized by any other law of the state of
19 Washington.

1 This section does not prohibit (1) the nursing care of the sick,
2 without compensation, by an unlicensed person who does not hold himself
3 or herself out to be an advanced registered nurse practitioner, or (2)
4 the practice of registered nursing by a licensed registered nurse or
5 the practice of licensed practical nursing by a licensed practical
6 nurse.

7 **Sec. 2.** RCW 18.79.240 and 2000 c 64 s 3 are each amended to read
8 as follows:

9 (1) In the context of the definition of registered nursing practice
10 and advanced registered nursing practice, this chapter shall not be
11 construed as:

12 (a) Prohibiting the incidental care of the sick by domestic
13 servants or persons primarily employed as housekeepers, so long as they
14 do not practice registered nursing within the meaning of this chapter;

15 (b) Preventing a person from the domestic administration of family
16 remedies or the furnishing of nursing assistance in case of emergency;

17 (c) Prohibiting the practice of nursing by students enrolled in
18 approved schools as may be incidental to their course of study or
19 prohibiting the students from working as nursing aides;

20 (d) Prohibiting auxiliary services provided by persons carrying out
21 duties necessary for the support of nursing services, including those
22 duties that involve minor nursing services for persons performed in
23 hospitals, nursing homes, or elsewhere under the direction of licensed
24 physicians or the supervision of licensed registered nurses;

25 (e) Prohibiting the practice of nursing in this state by a legally
26 qualified nurse of another state or territory whose engagement requires
27 him or her to accompany and care for a patient temporarily residing in
28 this state during the period of one such engagement, not to exceed six
29 months in length, if the person does not represent or hold himself or
30 herself out as a registered nurse licensed to practice in this state;

31 (f) Prohibiting nursing or care of the sick, with or without
32 compensation, when done in connection with the practice of the
33 religious tenets of a church by adherents of the church so long as they
34 do not engage in the practice of nursing as defined in this chapter;

35 (g) Prohibiting the practice of a legally qualified nurse of
36 another state who is employed by the United States government or a
37 bureau, division, or agency thereof, while in the discharge of his or
38 her official duties;

1 (h) Permitting the measurement of the powers or range of human
2 vision, or the determination of the accommodation and refractive state
3 of the human eye or the scope of its functions in general, or the
4 fitting or adaptation of lenses for the aid thereof;

5 (i) Permitting the prescribing or directing the use of, or using,
6 an optical device in connection with ocular exercises, visual training,
7 vision training, or orthoptics;

8 (j) Permitting the prescribing of contact lenses for, or the
9 fitting and adaptation of contact lenses to, the human eye;

10 (k) Prohibiting the performance of routine visual screening;

11 (l) Permitting the practice of dentistry or dental hygiene as
12 defined in chapters 18.32 and 18.29 RCW, respectively;

13 (m) Permitting the practice of chiropractic as defined in chapter
14 18.25 RCW including the adjustment or manipulation of the articulation
15 of the spine;

16 (n) Permitting the practice of podiatric medicine and surgery as
17 defined in chapter 18.22 RCW;

18 (o) Permitting the performance of major surgery, except such minor
19 surgery as the commission may have specifically authorized by rule
20 adopted in accordance with chapter 34.05 RCW;

21 (p) Permitting the prescribing of controlled substances as defined
22 in Schedule((s)) I ((through IV)) of the Uniform Controlled Substances
23 Act, chapter 69.50 RCW(~~(, except as provided in (r) or (s) of this~~
24 ~~subsection))~~);

25 (q) Prohibiting the determination and pronouncement of death(~~(;~~
26 ~~(r) Prohibiting advanced registered nurse practitioners, approved~~
27 ~~by the commission as certified registered nurse anesthetists from~~
28 ~~selecting, ordering, or administering controlled substances as defined~~
29 ~~in Schedules II through IV of the Uniform Controlled Substances Act,~~
30 ~~chapter 69.50 RCW, consistent with their commission-recognized scope of~~
31 ~~practice; subject to facility-specific protocols, and subject to a~~
32 ~~request for certified registered nurse anesthetist anesthesia services~~
33 ~~issued by a physician licensed under chapter 18.71 RCW, an osteopathic~~
34 ~~physician and surgeon licensed under chapter 18.57 RCW, a dentist~~
35 ~~licensed under chapter 18.32 RCW, or a podiatric physician and surgeon~~
36 ~~licensed under chapter 18.22 RCW; the authority to select, order, or~~
37 ~~administer Schedule II through IV controlled substances being limited~~
38 ~~to those drugs that are to be directly administered to patients who~~
39 ~~require anesthesia for diagnostic, operative, obstetrical, or~~

1 therapeutic procedures in a hospital, clinic, ambulatory surgical
2 facility, or the office of a practitioner licensed under chapter 18.71,
3 18.22, 18.36, 18.36A, 18.57, 18.57A, or 18.32 RCW; "select" meaning the
4 decision-making process of choosing a drug, dosage, route, and time of
5 administration; and "order" meaning the process of directing licensed
6 individuals pursuant to their statutory authority to directly
7 administer a drug or to dispense, deliver, or distribute a drug for the
8 purpose of direct administration to a patient, under instructions of
9 the certified registered nurse anesthetist. "Protocol" means a
10 statement regarding practice and documentation concerning such items as
11 categories of patients, categories of medications, or categories of
12 procedures rather than detailed case-specific formulas for the practice
13 of nurse anesthesia;

14 (s) Prohibiting advanced registered nurse practitioners from
15 ordering or prescribing controlled substances as defined in Schedules
16 II through IV of the Uniform Controlled Substances Act, chapter 69.50
17 RCW, if and to the extent: (i) Doing so is permitted by their scope of
18 practice; (ii) it is in response to a combined request from one or more
19 physicians licensed under chapter 18.71 or 18.57 RCW and an advanced
20 registered nurse practitioner licensed under this chapter, proposing a
21 joint practice arrangement under which such prescriptive authority will
22 be exercised with appropriate collaboration between the practitioners;
23 and (iii) it is consistent with rules adopted under this subsection.
24 The medical quality assurance commission, the board of osteopathic
25 medicine and surgery, and the commission are directed to jointly adopt
26 by consensus by rule a process and criteria that implements the joint
27 practice arrangements authorized under this subsection. This
28 subsection (1)(s) does not apply to certified registered nurse
29 anesthetists).

30 (2) In the context of the definition of licensed practical nursing
31 practice, this chapter shall not be construed as:

32 (a) Prohibiting the incidental care of the sick by domestic
33 servants or persons primarily employed as housekeepers, so long as they
34 do not practice practical nursing within the meaning of this chapter;

35 (b) Preventing a person from the domestic administration of family
36 remedies or the furnishing of nursing assistance in case of emergency;

37 (c) Prohibiting the practice of practical nursing by students
38 enrolled in approved schools as may be incidental to their course of
39 study or prohibiting the students from working as nursing assistants;

1 (d) Prohibiting auxiliary services provided by persons carrying out
2 duties necessary for the support of nursing services, including those
3 duties that involve minor nursing services for persons performed in
4 hospitals, nursing homes, or elsewhere under the direction of licensed
5 physicians or the supervision of licensed registered nurses;

6 (e) Prohibiting or preventing the practice of nursing in this state
7 by a legally qualified nurse of another state or territory whose
8 engagement requires him or her to accompany and care for a patient
9 temporarily residing in this state during the period of one such
10 engagement, not to exceed six months in length, if the person does not
11 represent or hold himself or herself out as a licensed practical nurse
12 licensed to practice in this state;

13 (f) Prohibiting nursing or care of the sick, with or without
14 compensation, when done in connection with the practice of the
15 religious tenets of a church by adherents of the church so long as they
16 do not engage in licensed practical nurse practice as defined in this
17 chapter;

18 (g) Prohibiting the practice of a legally qualified nurse of
19 another state who is employed by the United States government or any
20 bureau, division, or agency thereof, while in the discharge of his or
21 her official duties.

22 **Sec. 3.** RCW 18.79.250 and 2000 c 64 s 4 are each amended to read
23 as follows:

24 An advanced registered nurse practitioner under his or her license
25 may perform for compensation nursing care, as that term is usually
26 understood, of the ill, injured, or infirm, and in the course thereof,
27 she or he may do the following things that shall not be done by a
28 person not so licensed, except as provided in RCW 18.79.260 and
29 18.79.270:

30 (1) Perform specialized and advanced levels of nursing as
31 recognized jointly by the medical and nursing professions, as defined
32 by the commission;

33 (2) Prescribe legend drugs and Schedules II through V controlled
34 substances, as defined in the Uniform Controlled Substances Act,
35 chapter 69.50 RCW, (~~and Schedules II through IV subject to RCW~~
36 ~~18.79.240(1) (r) or (s))~~) within the scope of practice defined by the
37 commission;

38 (3) Perform all acts provided in RCW 18.79.260;

1 (4) Hold herself or himself out to the public or designate herself
2 or himself as an advanced registered nurse practitioner or as a nurse
3 practitioner.

4 NEW SECTION. **Sec. 4.** The following acts or parts of acts are each
5 repealed:

6 (1) RCW 18.57.280 (Joint practice arrangements) and 2000 c 64 s 6;

7 (2) RCW 18.71.370 (Joint practice arrangements) and 2000 c 64 s 5;

8 and

9 (3) RCW 18.79.320 (Joint practice arrangements) and 2000 c 64 s 7.

10 NEW SECTION. **Sec. 5.** If any provision of this act or its
11 application to any person or circumstance is held invalid, the
12 remainder of the act or the application of the provision to other
13 persons or circumstances is not affected.

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